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REMARKS

Claims 1-30 are pending, with claims 1, 11, 21, 25, 27, and 29 being independent. Claims 29-30 have been cancelled by this amendment without prejudice. Claims 5, 6, 16, and 24 have been amended. New claims 31-32 have been added, with claim 31 being independent. No new matter has been added. Reconsideration and allowance of the above-referenced application are respectfully requested.

Claim 16 stands objected to for informalities. Claim 16 has been amended accordingly, and withdrawal of the objection to claim 16 is respectfully requested. Additionally, claims 5 and 6 have been amended to depend from claim 4, correcting a typographical error in these claims as filed. Claim 24 has been amended to correct a verb tense.

Claims 1-30 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Coman et al. (US Patent No. 6,438,619) in view of Huntsman (US Patent No. 5,949,412). Claim 9 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Coman in view of Huntsman and in view of Edwards (US Patent No. 6,594,686). These contentions are respectfully traversed.

Coman teaches a remote communication system in which a terminal emulator program on a computer communicates with a host

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system such that the computer operates as a remote terminal providing a user with access to the programs, databases and other resources of the host system. (See Coman at col. 1, lines 17-25, and col. 2, line 10 to col. 4, line 8.) The communication protocol between the remote terminal (the computer running the terminal emulator program) and the host system uses commands, "which are based on fundamental tasks that the operating system of the remote terminal may understand and implement, such as creating windows, buttons, edit fields, listboxes and other operating system objects." (See Coman at col. 4, lines 8-30.) Coman describes a computer-to-host communication system and neither teaches nor suggests a remote control system in which a first user of a first machine to be controlled remotely is asked permission before a second user at a second machine is allowed to control the first machine through the second machine. The host in Coman never provides remote control of the computer to a user of the host based on permission granted by the user of the computer.

The communication system described in Coman prompts the user of the remote computer to ask if the user wants to download the terminal program and to ask if the user wants to start a terminal session after downloading the terminal program, but both such prompts are initiated automatically by the host system in response to the remote computer first contacting the host

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system. (See Coman at col. 5, line 59 to col. 6, line 25.) Nowhere does Coman teach or suggest "prompting a first user at a [first] machine for permission for a second user at a machine remotely-located from the [first] machine to control the [first] machine", as recited in claim 1 (the "UNIX-based" language of claim 1 has been removed here because Coman is not relied upon for this aspect of the claim). Coman never mentions a second user at the host system wanting to control the remote computer, and neither teaches nor suggests this aspect of independent claims 1, 11, and 21.

Moreover, a prima facie case of obviousness has not been established because there is insufficient motivation to combine the references. In fact, one having ordinary skill would view the proposed combination as unrealistic. The motivation to "modify Coman by making the first user machine a UNIX-based machine as per the teachings of Huntsman", is identified in the official action as being, "so that UNIX systems can be controlled remotely by other users over a network or the Internet." However, Huntsman is not specific to UNIX, but rather simply mentions UNIX as one of the possible operating systems with which the techniques of Huntsman can be used. There is nothing in Huntsman or Coman that suggests the techniques of Huntsman are applicable to Coman with respect to a UNIX-based machine. In fact, Huntsman and Coman arguably teach

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opposite solutions to computer communications, and this inconsistency would make it difficult to combine them at all.

Coman teaches improving communication performance by having the host system use commands that are based on fundamental tasks that the operating system of the remote terminal may understand and implement. Thus, the type of operations performed by the second machine (the host) are dependent upon the operating system running on the first machine (the remote computer). In contrast, Huntsman teaches a remote control system for remotely controlling a "GUI-based first computer from a second computer over the internet using only a standard world-wide-web hypertext browser on the second computer." (See Huntsman at Abstract.) Huntsman's innovation lies in enabling the second computer to be independent of the operating system running on the first computer:

"This new invention is realized combining GUI programs, remote control technology, and hypertext language in a new way. The new remote control system utilizes existing hypertext browser programs on a second computer and consequently requires no new software on the second computer. Instead, readily available existing hypertext browser programs already on many computers on the internet and other networks, when using the present invention, can control a GUI based program on a first computer."

(See Huntsman at its Summary; col. 4, lines 11-19.) Huntsman appears to even acknowledge that a downside of his technique is reduced speed of communications between the two computers (the opposite of the objective in Coman): "The response on the

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browser is not necessarily in real time; typically a few seconds pass between clicks and response files." (See Huntsman at col. 10, lines 24-26.)

Thus, independent claims 1, 11, and 21 should be in condition for allowance. Dependent claims 2-10, 12-20, and 22-24 are patentable based on the above arguments and their own merits. For example, with respect to claims 4 and 14, the cited portions of Huntsman teach replicating a screen of a first computer on a second computer, and not in a background of the first computer. (See Huntsman at col. 9, lines 38-67.) The art of record fails to teach or suggest replicating "current contents of a screen on the UNIX-based machine onto a new screen running in a background of the UNIX-based machine." With respect to claims 5, 6, 15 and 16, the art of record fails teach or suggest adding "to the new screen a prompt that asks the first user for the permission", or replacing "the current contents of the screen on the UNIX-based machine with the new screen", as no new screen running in a background is created with replicated contents, as claimed.

Claims 25-28 include features similar to those of claims 4-6 and 14-16, and claims 25-28 are patentable for at least the same reasons addressed above. Claims 29-30 have been cancelled without prejudice. New claims 31-32 have been added and include

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determining whether a user interface of a UNIX-based machine is operating in a text mode, and performing operations based on this determination. Support for these new claims can be found throughout the application as filed (for example, page 6, line 3 to page 11, line 3), and the art of record fails to teach or suggest the subject matter of claims 31-32.

It is respectfully suggested for all of these reasons, that the current rejection is totally overcome; that none of the cited art teaches or suggests the features which are now claimed, and therefore that all of these claims should be in condition for allowance. A formal notice of allowance is thus respectfully requested.


Additionally, it is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific issue or comment does not signify agreement with or concession of that issue or comment. Because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

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No fees are believed due with this reply. Please apply any necessary charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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